



# OFFICE OF THE DISTRICT ATTORNEY RICHMOND COUNTY

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With reference to the above-mentioned case, and pursuant to our continuing obligations, the People make the following disclosure: during a recent trial preparation, Sgt. Albert Cabello indicated that during the time he has been employed by the New York City Police Department, he was named as a defendant or co-defendant in federal civil lawsuits.

As a result of the conversation with Sgt. Cabello, the People performed a simple name search of the Public Access to Court Electronic Records ["PACER"] website, and found the following cases which list "Albert Cabello" and "City of New York" as civil defendants in the Eastern and Southern Districts of New York:

1. *Garcia v. City of New York*, 11CV02284(KBW)(JO): after jury trial, verdict in favor of the plaintiff and the jury awarded \$50,000 in compensatory damages only to the plaintiff and attorney fees. The sum paid to the plaintiff was paid solely by the City of New York, without personal contribution from Sgt. Cabello.
2. *Howard v. City of New York*, 13CV05744(JBW)(RER): settled in 2014 for an undisclosed amount, with stipulation of settlement filed ending litigation with prejudice and without admission of fault or liability;
3. *Tan v. City of New York*, 15CV03326(ILG)(CLP): presently pending litigation in the Eastern District of New York;
4. *Tan v. City of New York*, 15CV00028(NG)(SMG): presently pending litigation in the Eastern District of New York;

Additionally, Sgt. Cabello indicated that in a coinciding Civilian Complaint Review Board investigation with *Garcia v. City of New York*, he received a command discipline for failing to properly document his memo book; he recalls the punishment was a warning and admonishment from his commander.